

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

- v. -

EVGENY BURYAKOV,

Defendant.

15 CR. 73 (RMB)

**DECLARATION OF SCOTT HERSHMAN  
IN SUPPORT OF DEFENDANT'S OPPOSITION AND RESPONSE TO THE  
GOVERNMENT'S MOTIONS IN LIMINE**

I, Scott Hershman, hereby declare as follows:

1. I am an attorney duly authorized to practice law in the State of New York and am admitted to practice before this Court. I am a partner at White & Case LLP, counsel for Defendant Evgeny Buryakov in the above-captioned matter. I submit this declaration in support of Defendant's Opposition and Response to the Government's Motions in Limine.

2. Attached as Exhibit A is a true and correct copy of the transcript of proceedings relating to the jury charges as to Tongsun Park, held on July 12, 2006 in United States v. Park, No. 05-Cr.-59 (S.D.N.Y. July 26, 2006), ECF No. 166.

3. Attached as Exhibit B is a true and correct copy of the Court's Jury Instructions in United States v. Hernandez, No. 1:98-cr-00721-JAL (S.D. Fla. June 5, 2001), ECF No. 1280.

4. Attached as Exhibit C is a true and correct copy of Instructions 25 and 26 of the Final Jury Instructions given in United States v. Shaaban, No. IP 05-34-CR-01-T/F (S.D. Ind. 2006).

5. Attached as Exhibit D is a true and correct copy of the transcript of the status conference held before this Court on May 12, 2015.

6. Attached as Exhibit E is a true and correct copy of the transcript of the oral argument regarding Defendant's motion to dismiss the indictment and for a bill of particulars, held before this Court on July 29, 2015.

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed in New York, New York on March 8, 2016.

/s/ Scott Hershman  
Scott Hershman